

REMARKS

Information Disclosure Statement

Applicant acknowledges the objection to the form of the Information Disclosure Statement submitted with the application. This was intended to refer to all of the art cited in the parent case by presenting reference to the prior IDS documents in the parent case, a practice long acceptable to the USPTO. Since the practice is no longer acceptable, Applicant submits a fresh IDS in this matter, repeating the same prior art references previously cited. The fresh form PTO-892 is submitted to overcome the objection.

Specification

The specification included a web address at page 4, line 12. This is intended to be a plain text reference, and not as an embedded hyperlink or browser executable code. This is merely an address. Assuming that this is the portion of the specification to which an objection is made, Applicant authorizes the insertion of one or more spaces in the interior of the address, which will unequivocally remove any aspect of executability, while retaining the information.

Claim Objections

Applicant acknowledges the objections to the numbering of the dependent claims. These were inadvertently left dependent on the original numbering system when the independent claims were renumbered to match the requirement of beginning the claim numbering at a number beyond the claims of the parent case.

By the amendments set forth above, Applicant has corrected the numbering error, thus overcoming the objection,

Claim Rejections – 35 USC §112.

The rejection under §112 is overcome by the claim amendments set forth heretofore, correcting the numbering of the dependent claims to apply to the renumbered independent claims.

Double Patenting

The claims are rejected on the basis of Applicant's parent case, now US patent No. 6,704,542. Applicant submits herewith an appropriate Terminal Disclaimer to overcome this rejection.

Claim Rejections – 35 USC §102

The Examiner, in this paragraph, has rejected the claims (23-40) based on *Gaucher* (US patent No. 6,175,860). Applicant disputes that the *Gaucher* reference teaches anything resembling the subject matter claimed by Applicant.

Regarding claim 23, the Examiner asserts that the cited reference discloses “a hub for communicating at least one first signal and at least one second signal” (Col. 5, lines 29-60). Applicant disagrees. *Gaucher* does not teach anything which would indicate that it creates multiple signals. In addition, that reference does not teach an exciter for transmitting the signal to the “hub”. Further, there is nothing in *Gaucher* that functions as a probe to convert the first signal into a second signal for transmitting to the exciter. Therefore, claim 23 is not anticipated by *Gaucher* and is allowable.

Regarding claim 24, this dependent claim includes the limitations of allowable claim 23.

Regarding claim 25, this dependent claim includes the limitations of allowable claim 23.

Regarding claim 26, this dependent claim includes the limitations of allowable claim 23.

Regarding claim 27, this dependent claim includes the limitations of allowable claim 23.

Regarding claim 28, this dependent claim includes the limitations of allowable claim 23.

Regarding claim 29, Applicant asserts that *Gaucher* does not teach an “exciter” nor does it teach receiving and converting a signal into radio frequency. *Gaucher*'s network box 16 creates its own signal (col. 5, lines 29-29-30) rather than receiving it. Further there is nothing which corresponds to a probe, nor is there anything converting a second signal. Therefore, claim 29 is not anticipated by *Gaucher* and is allowable.

Regarding claim 30, this dependent claim includes the limitations of allowable claim 29.

Regarding claim 31, this dependent claim includes the limitations of allowable claim 29.

Regarding claim 32, this dependent claim includes the limitations of allowable claim 29.

Regarding claim 33, this dependent claim includes the limitations of allowable claim 29.

Regarding claim 34, this dependent claim includes the limitations of allowable claim 29.

Regarding independent claim 35, it is submitted that *Gaucher* does not teach communicating suing first and second signals or any multiplicity of signals from the hub; nor is there an identifiable exciter. Further there is no teaching in that reference of a probe converting signals and transmitting them. Therefore, claim 35 is not anticipated by *Gaucher* and is allowable.

Regarding claim 36, this dependent claim includes the limitations of allowable claim 35.

Regarding claim 37, this dependent claim includes the limitations of allowable claim 35.

Regarding claim 38, this dependent claim includes the limitations of allowable claim 35.

Regarding claim 39, this dependent claim includes the limitations of allowable claim 35.

Regarding claim 40, this dependent claim includes the limitations of allowable claim 35.

Consequently, the rejections of the present claims based on the cited reference cannot stand and the claims as amended are in condition for allowability.

Conclusion

Having responded to all of the paragraphs of the Office Action, Applicant respectfully submits that the Application and all remaining claims are now in condition for allowance. Applicant therefore respectfully requests that a Notice of Allowance be forthcoming at the Examiner's earliest opportunity. Should the Examiner have any questions or comments with regard to this amendment, a telephonic conference at the number set forth below is respectfully requested.

Serial No.: 10/770,650
Electromagnetic Field Communications System, etc.
Haight, Robert W.

Ex. West, Lewis G.
Art Unit: 2618
Att. Ref. 60607.300602

Respectfully submitted,

/MJH18/

Date: __18 January 2007__

Michael J. Hughes – Reg. No 29,077

IPLO[®] Intellectual Property Law Offices
1901 South Bascom Avenue, Suite 660
Campbell, California 95008
Telephone: (408) 558-9950
Direct Tel: (408)-558-7890
Facsimile: (408) 558-9960
Email michaelh@iplo.com

Customer No. 32112